

REMARKS

This is in response to the final Office Action mailed December 3, 2002, in relation to the above-identified patent application. In that Office Action, the Examiner rejected Claims 1-11, 13-18, and 20-24 under 35 U.S.C. Section 103(a) as being unpatentable over Day et. al. in view of Nelson.

On March 7, 2003, Applicant and Applicant's attorney conducted a telephone interview and agreed upon language for allowance of the application. That same day, Applicant faxed to the examiner proposed amended claim language. The Examiner replied on March 10, 2003 with a draft amendment. Immediately thereafter, Applicant's attorney and Examiner Pollard had a telephone conversation and it was agreed that the application would go to issue and that the Examiner would issue an Examiner's amendment. We were waiting on the Examiner's amendment and after several telephone messages to the Examiner, we telephoned the Supervising Attorney and was told that Examiner Pollard had retired. We submit herewith the copy of the faxed Examiner's communication to us of March 10, 2003, including the allowed claim amendments.

Serial No. 09/710,723

Page 6

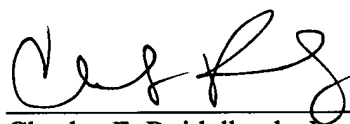
CONCLUSION

Also enclosed is an Extension of Time replying to the outstanding office action. In view of the foregoing, it is respectfully submitted that all of the pending apparatus claims of the present invention have been amended to particularly define the unobvious structure of the present invention. It is respectfully submitted that, as amended, all of the pending claims of the subject patent application are in condition for immediate allowance. An allowance is therefore respectfully requested.

Respectfully submitted,

HIGGS, FLETCHER & MACK LLP
Attorneys for Applicant

Dated: 22 May 2003



Charles F. Reidelbach, Jr., Esq.
Registration No. 36,649

401 West A Street
Suite 2600
San Diego, CA 92101
Telephone: 619-236-1551
Facsimile: 619-696-1410
E-Mail: reidelbach@higgslaw.com

VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS:

Delete claims 3-24.

1. (Amended) A disposable barrier for a laboratory splash pan having a tray-like base, a raised closed end portion, and an elevated lip, comprising:

a non-porous rigid, disposable insert, [having the general shape of

the inside surface of a laboratory splash pan, wherein said insert is fully

enclosed at a distal end to form a splash protective canopy portion, and wherein said

insert provides an opening at a proximal end for ease of accessibility to the interior of

splash pan.] having a tray-like base, a raised end portion, and an elevated lip, shaped

to provide protection to the interior surface of both the tray-like base and the raised

closed end portion of the laboratory splash pan; and,

an extended perimeter means formed in said insert for overlying and
protecting the elevated lip of the laboratory splash pan.

25. (New) A disposable barrier as recited in claim 1, wherein said extended
perimeter means includes a foldable flap extending around a perimeter of the tray-like
base, so as to be folded over the elevated lip of a splash pan.

26. (New) A disposable barrier for a laboratory splash pan having a tray-like
base, a raised closed end portion, and an elevated lip, comprising:

a non-porous rigid disposable insert, having a tray-like base, a raised
end portion, and an elevated lip, shaped to provide protection to the interior surface of
both the tray-like base and the raised closed end portion of the laboratory splash pan;

_____ an extended perimeter means formed in said insert for overlying and protecting the elevated lip of the laboratory splash pan; and

_____ a reservoir formed within said insert for retention of a substance.

27. (New) The disposable barrier of claim 26 wherein said reservoir is integrally formed within a bottom surface of said insert.

28. (New) The disposable barrier of claim 26 further comprising a removable cover to secure a substance within said reservoir.

29. (New) A disposable barrier for a laboratory splash pan having a tray-like base, a raised enclosed canopy, and an elevated lip, comprising:

_____ a non-porous rigid disposable insert, having a tray-like base, a raised enclosed canopy, an elevated lip, shaped to provide protection to the interior surface of both the tray-like base and the raised enclosed canopy of the laboratory splash pan; and,

_____ an extended perimeter means formed in said insert for overlying and protecting the elevated lip of the laboratory splash pan.

30. (New) The disposable barrier of claim 29 further comprising a reservoir formed within said insert.

31. (New) The disposable barrier of claim 29 wherein said reservoir is integrally formed within a bottom surface of said insert.

32. (New) The disposable barrier of claim 29 further comprising a removable cover to secure a substance within said reservoir.